

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

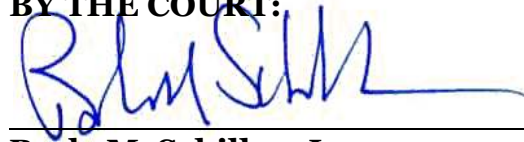
JOSEPH RICE	:	CIVIL ACTION
	:	
v.	:	
	:	
JO ANNE B. BARNHART	:	NO. 05-2584

ORDER

AND NOW, this 14th day of July, 2006, after independent consideration of the parties' cross-motions for summary judgment, plaintiff's reply brief, and review of the Report and Recommendation of the Magistrate Judge and objections thereto, it is hereby **ORDERED** that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Motion for Summary Judgment is DENIED;
3. The Commissioner's Motion for Summary Judgment is GRANTED; and
4. Judgment is entered in favor of defendant, Commissioner of the Social Security Administration, and against plaintiff, Joseph Rice.

BY THE COURT:



Berle M. Schiller, J.